

**DOE-RFO Supplemental Comments to EG&G Rocky Flats
Document Entitled, "Migratory Bird Evaluation and Protection
1-G98-EPR-END.04"**

February 1994

- **Page 5, OVERVIEW:** Consider modifying the second sentence to read as follows: "Additionally, *as part of the current Resource Protection Program,,* END performs ..."
- **Page 5, DEFINITIONS:**
 - **Migratory Birds.** Consider modifying the definition to read as follows: "... all species of wild birds protected under the Migratory Bird Treaty Act (MBTA) are classified as migratory birds. *Most wild birds found at RFP are considered migratory species,* including, but not limited to, ..."
- **Page 7, 6.1 Proposed Field Activity Evaluation:** Consider modifying this section as follows: "Under the MBTA, *and except under the authority of a written permit obtained from the U.S. Fish and Wildlife Service, harming* protected bird species..." "*Under the authority of a written permit from the U.S. Fish and Wildlife Service, Law Enforcement Division, Region 6, bird nests of all species, other than threatened or endangered species, may be removed and/or destroyed during ...*"
- **Page 8, Item [7]:** Consider modifying the sentence to read as follows: "... and prepare a migratory bird protection strategy, *including necessary MBTA permit applications to be forwarded to the U.S. Fish and Wildlife Service,* for the affected project as required."
- **Page 10, Field Survey and Evaluation (continued), NOTE:** Consider modifying the note as follows: "The presence of *an avian* nest may cause postponement ..."
- **Page 11, Field Survey and Evaluation (continued):** Consider adding the following items:

END Manager

- [6] *Report significant observations and/or events involving migratory birds and fax important supporting documentation to the DOE/RFO MBTA Coordinator within 24 hours.*
- [7] *Provide the DOE/RFO MBTA Coordinator with a quarterly summary of significant observations, events and occurrences involving migratory birds and MBTA compliance issues by the 15th of the month following the end of a quarter within each fiscal year.*

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